

Michael R McLane
mmclane@lynchmurphy.com
Lynch Murphy McLane LLP
1000 SW Disk Dr
Bend, OR 97702
Telephone: (541) 383-5857

Matthew A Wand
matt@wandlegal.com
Wand Legal LLC
1000 SW Disk Dr
Bend, OR 97702
Telephone: (503) 680-8180

Attorneys for Amicus

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PENDLETON DIVISION

OREGON FIREARMS FEDERATION, INC., et
al.,

Plaintiffs,

v.

KATE BROWN, et al.,

Defendants.

Case No. 2:22-cv-01815-IM (*Lead Case*)
Case No. 3:22-cv-01859-IM (*Trailing Case*)
Case No. 3:22-cv-01862-IM (*Trailing Case*)
Case No. 3:22-cv-01869-IM (*Trailing Case*)

CONSOLIDATED CASES

**DECLARATION OF JAMES NASH IN
SUPPORT OF *AMICUS CURIAE*
OREGON HUNTERS ASSOCIATION
AND DUCKS UNLIMITED
MEMORANDUM IN SUPPORT OF
PRELIMINARY INJUNCTION**

MARK FITZ, et al.,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, et al.,

Defendants.

(caption continued on next page)

KATERINA B. EYRE, TIM FREEMAN,
MAZAMA SPORTING GOODS, NATIONAL
SHOOTING SPORTS FOUNDATION, and
OREGON STATE SHOOTING ASSOCIATION,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, Attorney General of
Oregon, and TERRI DAVIE, Superintendent of
the Oregon State Police,

Defendants.

DANIEL AZZOPARDI, et al.,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, et al.,

Defendants.

I, James Nash, hereby declare as follows:

1. I am over the age of 18 years, and I am qualified to submit this Declaration on behalf of Amicus Curiae. I make this Declaration based on my personal knowledge.

2. I am a fifth generation Oregonian descended from a Civil War veteran who moved to Oregon after the war. His family settled in the Grand Ronde Valley. My ancestors founded the 6 Ranch in the Wallowa Valley in 1884, one of the oldest family businesses in Oregon. I grew up on the ranch and carried a firearm for protection against predators, for hunting, and to provide mercy to livestock who were ill or injured beyond recovery.

3. In high school I moved to Norway on a foreign exchange and lived in their country which had some of the strictest firearms regulations in the world. A few years after I lived there, Norway experienced a serious mass shooting in which 99 people were shot, 67 of whom

were killed. Those strict firearms regulations and lack of widespread firearm ownership failed to prevent that horrific crime.

4. I took hunting rifles with me to the University of Montana Western and stored them in a gun room at the dorm built for this purpose. During college I hunted and helped provide healthy food for my classmates.

5. I served in the United States Marine Corps., in which I attended officer candidate school and was commissioned as a Second Lieutenant and served for the next five years as a tank officer. I was deployed to Afghanistan and served my country during the war. I was awarded two purple heart medals and the Navy/Marine Corps Commendation medal with a combat V for valor. After more than a year in convalescence at the wounded warrior battalion, I was retired, loaded my rifles into my truck and moved home to the 6 Ranch in Oregon.

6. I am now physically unable to do normal ranch labor, so I began an outfitting business guiding fishermen and hunters. I guide other veterans without charge. As my business grew, I attracted the attention of outdoor brands who wanted help designing and promoting gear. One of these brands was Sig Sauer, who makes firearms for private use, law enforcement, the military, and hunters. This was the fulfillment of a dream for me to be able to work with engineers on design elements, marketing, and to use these tools to more ethically harvest game without needless suffering or injury.

7. In the fall of 2021, while guiding an elk hunt, I was charged by a black bear who had killed a bull elk and was protecting the rotting carcass. I drew my pistol and was able to kill the bear exactly eight steps before it reached me. Never once did I wish for fewer rounds in the magazine of that gun.

8. This week I took a call to see about planning next year with SIG and was informed they were not renewing my contract. It does not make sense for them to keep an influencer on payroll if they cannot send that person new guns to help develop and promote. This not only affects me and the other citizens who benefit from the input I was able to provide, which improved the quality of their firearms, but also the military, which have purchased some of these same rifles.

9. After bleeding into the dust of Afghanistan while supporting and defending the constitution, carrying on a century plus long tradition of responsible gun ownership on my family ranch, using those guns to feed and defend my family and myself, I am faced with a loss of income because there is no timely way for me to purchase a firearm in this or any other state. I do not need a permit to speak freely, to prevent soldiers from quartering in my home, from search or seizure without cause, and should not need one to purchase a firearm either. I did not bleed defending my country's inalienable rights to have them unjustly taken.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on 1/6/2023

By: James Nash
Name: James Nash

CERTIFICATE OF SERVICE

In accordance with Fed. R. Civ. P. 5(b)(2)(E) and LR5-1, I hereby certify that on January 11, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

DATED this 11th day of January 2023.

LYNCH MURPHY MCLANE LLP

/s/ Michael R. McLane

Michael R McLane, OSB No. 904435
1000 SW Disk Dr
Bend, OR 97702
(541) 383-5857
mmclane@lynchmurphy.com

WAND LEGAL LLC

/s/ Matthew A. Wand

Matthew A Wand, OSB No. 004189
1000 SW Disk Dr
Bend, OR 97702
(541) 383-5857
matt@wandlegal.com

Attorneys for Amicus